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Respectfully submitted,

By: Byron S. Kuza

Registration Number 51,255 Banner & Witcoff, Ltd.

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re A	Application of	)
		) Art Unit: 3728
	Tobie D. HATFIELD, et al.	)
		) Examiner: Kavanaugh, J.T.
Serial	Number 10/681,321	)
		) Attorney Reference: 005127.00234
Filed:	October 9, 2003	)
		)
For:	ARTICLE OF FOOTWEAR WITH A	)
	STRETCHABLE UPPER AND AN	)
	ARTICULATED SOLE STRUCTURE	)

## PRELIMINARY AMENDMENT

Commissioner for Patents Alexandria, VA 22313

Sir:

Prior to examination on the merits, the Applicants respectfully request that the application be amended as indicated below: